

a first elongated electrically conductive member carried on the first jaw and a second elongated electrically conductive member carried on the second jaw;

the jaws being generally parallel in a range of movement between the open and clamped positions;

the first and second conductive members being connectable to an RF energy source to pass electrical current through tissue clamped between the jaws;

at least one of the jaws being biased so as to urge the jaws toward the clamped position with a force that increases as the separation of the jaws increases;

whereby cardiac tissue may be clamped with a force that is proportional to the thickness of the clamped tissue and that is generally uniformly applied by the parallel jaws.

2₁₀. (New) The device of Claim 9 wherein at least one of the jaws is operable by a drive member having a proximal and a distal end, the distal end supporting the one jaw and the proximal end being received in a carriage member slidably supported in a handle member, and a biasing spring being located interior of the carriage member.

3₁₁. (New) The device of Claim 10 further comprising a movable member associated with the carriage member for selectively varying the degree to which the spring is compressed.

4₁₂. (New) The device of Claim 10 wherein the carriage includes an exterior engagement surface and further comprising a

latch pivotally secured to the handle for selectively engaging the engagement surface, whereby the drive member is locked in position with respect to the handle members.

~~5~~ 13. (New) The device of Claim ~~8~~ wherein each jaw has a facing, tissue-engaging non-conductive surface and the elongated conductive member is generally centrally located relative to such surface.

~~6~~ 14. (New) The device of Claim ~~13~~ ⁵ wherein each tissue engaging surface has a generally centrally located slot extending along the jaw. *fig 2a*

~~7~~ 15. (New) The device of Claim ~~13~~ ⁵ in which each conductive member is at least partially disposed within the respective jaw and current flows through the slot to tissue clamped between the jaws.

~~8~~ 16. (New) The device of Claim ~~14~~ in which at least a portion of the conductive member extends through the slot to contact tissue clamped between the jaws.

~~9~~ 17. (New) The device of Claim ~~13~~ ⁵ in which the tissue engaging surface and conductive member each have a width and the width of the conductive member is less than or equal to 1/3 the width of the of the engaging surface.

~~10~~ 18. (New) The device of Claim ~~8~~ in which at least one of the conductive members defines an interior lumen. (10⁴)

~~11~~ 19. (New) The device of Claim ~~8~~ in which at least one of the conductive members is a wire.

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20. (New) The device of Claim *9* in which at least one of the conductive members has a convex tissue-engaging surface.

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21. (New) The device of Claim *14* in which the tissue engaging surface and slot each have a width and the width of the slot is less than or equal to 1/3 the width of the tissue engaging surface.

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22. (New) The device of Claim *16* in which the portion of the conductive member extending through the slot and the tissue engaging surface each has a width and the width of the conductive member portion is less than or equal to 1/3 the width of the tissue engaging surface.

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23. (New) The device of Claim *9* in which the jaws are generally parallel in the open position, in the clamped position and during movement between the open and clamped positions.

REMARKS

Claims 1-8 were pending in the present application. They have been cancelled by this Amendment in favor of new Claims 9-20.

In the above-identified application, all of the application Claims 1-8 were rejected over U.S. Patent No. 6,071,281 to Burnside in view of U.S. Patent No. 6,358,249 to Chen. The Examiner noted that Burnside teaches "all of the limitations of the claims except at least one of the jaw members being biased by a spring so as to urge the jaw members toward a clamped position." The Chen patent